

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FRANCIS WOUKOP YOMI,

Plaintiff(s),

v.

CARLOS DEL TORO, et al.,

Defendant(s).

CASE NO. C23-5199-KKE

ORDER DENYING MOTION FOR
RECONSIDERATION

The Court previously granted in part and denied in part Plaintiff's motion for leave to amend his complaint. Dkt. No. 53. Specifically, the Court permitted Plaintiff to amend his complaint in order to edit his allegations, but denied leave to amend to add a claim that is time-barred. *Id.* Plaintiff now moves for reconsideration of that order, contending that the Court erred to the extent it denied him leave to amend.¹ Dkt. No. 56.

Plaintiff argues both that he was entitled to amend his complaint under Federal Rule of Civil Procedure 15, and that Defendant's opposition to Plaintiff's motion for leave to amend was untimely filed and therefore Plaintiff's motion should have been considered unopposed. Dkt. No. 56. Plaintiff is incorrect on both counts. As explained in the prior order (Dkt. No. 53), Rule 15

¹ Although Plaintiff requested oral argument on this motion, the Court finds it suitable for disposition based on the written submission.

1 does not afford a plaintiff leave to add a futile claim, and Defendant's opposition was timely filed
2 under Local Rules W.D. Wash. LCR 7.

3 Because Plaintiff has failed to establish manifest error in the Court's prior order, the Court
4 DENIES his motion for reconsideration. *See* LCR 7(h) ("Motions for reconsideration are
5 disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest
6 error in the prior ruling or a showing of new facts or legal authority which could not have been
7 brought to its attention earlier with reasonable diligence.").

8 Dated this 30th day of July, 2024.

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11 Kymberly K. Evanson
12 United States District Judge
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